THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.21866 OF 2005

Dated 7th October 2005

Between:

Tetali Sura Reddy S/o.Sathi Reddy & another

…Petitioner

And

Superintendent Engineer, Roads & Buildings Dept.,

Kakinada, E.G.District & others.

…Respondents

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O R D E R:

The petitioners claim to be the owners of land to an extent of Ac.0-10 cents in R.S.No.240/1 of Anaparthy village, and premises bearing Door No.2-248, Gandhi Nagar, Anaparthy village, East Godavari District, respectively. Their grievance is that the respondents are making attempts to dispossess them and to demolish the premises, for the purpose of constructing a bridge, without acquiring the same.

Heard the learned counsel for the petitioners and learned Government Pleader for Roads and Buildings.

Except making an allegation that the respondents are taking steps to dispossess them from the property and to demolish the premises, the petitioners have not placed any material before this Court, to demonstrate that any steps have been taken by the respondents to demolish the same. It hardly needs any emphasis that, if the Government needs the property of private individuals, for any public purpose, they have to necessarily acquire the same, in accordance with the provisions of the Land Acquisition Act. It is only by initiating such proceedings, that they can proceed against the properties of private individuals.

For the foregoing reasons, the writ petition is disposed of, directing that in case the respondents require the properties of the petitioners, referred to above, or part of it, they shall be entitled to proceed against it, only after acquiring the same, in accordance with law. There shall be no order as to costs.

7th October 2005

Note: Issue C.C. by tomorrow.

(B/o)

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